IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.643 of 2007

In

Notice of Motion NO.2762 of 2007

Singapore Airlines Ltd and Anr.. Appellants

V/s

Mr.Quentin Rodrigues ..Respondent

Mr.V.M.Parkar for the Appellants

Mohan Bir Singh for Respondent

CORAM:S.R.SATHE,J.

DATED:17th Aug. 2007

P.C.:-

1. Heard both the learned Advocates at length.

2. During the course of argument it was suggested by the learned Advocate for the Respondent that so far as issue with regard to payment of salary for the period of 10-7-2007 to 31-7-2007 is concerned, the employer may not pay the said salary right now to the Respondent employee and the said issue be kept open till the decision of the motion. The learned Advocate for the

Respondent submitted that in case he succeeds in the motion then the employee should be asked to pay salary for the above mentioned period. As against this, Senior Advocate Shri U.C.Singh submitted that while disposing of this motion, the trial court be also directed to consider while disposing of Notice of Motion, the issue as to whether the employee would be entitled to get salary as per earlier order for the period 10-7-2007 to 31-7-2007.

3. Taking into consideration the allegations made by the employee i.e. the present Respondent. I think that if at all the trial Court comes to the conclusion that it is necessary to stay the order regarding transfer then as a colateraly of such conclusion the salary will have to be paid. Hence the order passed by the trial Court on 13-8-2007 regarding payment of salary of respondent for the month of July-2007 is stayed and it is made clear that the salary for the period mentioned above shall be subject to the decision of Notice of Motion.

4. The trial Court is directed to dispose of the Notice of Motion on merits according to law at the earliest.

4. A.O. disposed of in the above terms.

(S.R.SATHE,J.)